

**Notice of Allowability**

Application No.

10/053,026

Examiner

L. G. Lauchman

Applicant(s)

FLORENCE, JAMES M.

Art Unit

2877

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 6/29/2004.
2. ☒ The allowed claim(s) is/are 2-15 and 18-25.
3. ☒ The drawings filed on 18 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 4/2002; 4/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**DETAILED ACTION**

***Allowable Subject Matter***

Claims 2-15, 18-25 are allowed.

The following is an examiner's statement of reasons for allowance:

The amendment filed 6/29/2004 overcomes the rejection mailed 4/05/2004.

The applicant canceled claims 1, 16, and 17, and amended claims 2-15, 18-25 incorporating the allowable subject matter, as indicated by the examiner in the first office action.

As to Claim 2, the prior art of record taken along or in combination, fails to disclose or render obvious that the first, second, the third, and the fourth optical paths are each contained at angularly spaced locations within a side surface of an imaginary right circular cone having an axis perpendicular to said surface portion and having an apex substantially at said surface portion; and a redirecting section for causing optical radiation traveling away from said filter along said second optical path to be redirected to travel toward said filter along said third optical path, in combination with the rest of the limitations of the claim.

The dependent Claim 3 is allowed by virtue of its dependence upon Claim 2.

As to Claim 4, the prior art of record taken along or in combination, fails to disclose or render obvious the redirecting section including a first reflective surface which reflects radiation traveling along said optical path so that it travels along the fifth

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optical path different from said first, second, third and fourth optical paths; and a second reflective surface which reflects radiation traveling along said fifth optical path so that it travels along said third optical path, in combination with the rest of the limitations the claim.

The dependent Claims 5 and 6 are allowed by virtue of their dependence upon Claim 4.

As to Claim 7, the prior art of record taken along or in combination, fails to disclose or render obvious the redirecting section including an optical fiber and a lens section which causes optical radiation traveling along said second optical path to be redirected into one end of said optical fiber, and which causes optical radiation exiting from an opposite end of said optical fiber to be directed along said third optical path, in combination with the rest of the limitations of the claim.

The dependent Claims 8 and 9 are allowed by virtue of their dependence upon Claim 7.

As to Claim 10, the prior art of record taken along or in combination, fails to disclose or render obvious the filter responsive to optical radiation which impinges on said filter while traveling along a fifth optical path for causing said radiation from the fifth optical path to pass through the filter and thereafter travel away from the filter along said fourth path, in combination with the rest of the limitations of the claim.

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The dependent Claims 11-17 are allowed by virtue of their dependence upon Claim 10.

As to Claim 18, the prior art of record taken along or in combination, fails to disclose or render obvious using said first reflective surface to reflect radiation traveling along said optical path so that it travels along a fifth optical path different from said first, second, third, and fourth optical paths; and using said second reflective surface to reflect radiation traveling along said fifth optical path so that it travels along said third optical path, in combination with the rest of the limitations of the claim.

The dependent Claims 19 and 20 are allowed by virtue of their dependence upon Claim 18.

As to Claim 21, the prior art of record taken along or in combination, fails to disclose or render obvious causing optical radiation traveling along said second optical path to be directed into one end of said optical fiber, and causing optical radiation exiting from an opposite end of said optical fiber to be directed along said third optical path, in combination with the rest of the limitations of the claim.

The dependent Claims 22-25 are allowed by virtue of their dependence upon Claim 21.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Papers related to this application may be submitted to Technology Center 2800 by facsimile transmission. Papers should be faxed to TC 2877 via the PTO Fax Center located in CP4-4C23. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CP4 Fax Center number is (703) 872-9306.

If the Applicant wishes to send a Fax dealing with either a Proposed Amendment or for discussion for a phone interview then the fax should:

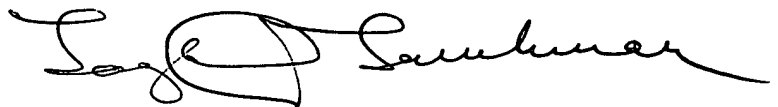
a) Contain either the statement "DRAFT" or "PROPOSED AMENDMENT" on the Fax Cover Sheet; and

b) Should be unsigned by the attorney or agent.

This will ensure that it will not be entered into the case and will be forwarded to the examiner as quickly as possible.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to L. G. Lauchman whose telephone number is (571) 272-2418. The examiner's normal work schedule is 8:00am to 4:30pm (EST), Monday through Friday. If attempts to reach examiner by the telephone are unsuccessful, the examiner's supervisor Gregory J. Toatley, Jr. can be reached on (571) 272-2059.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC receptionist whose telephone number is (571) 272-1562.

A handwritten signature in black ink, appearing to read "L. G. Lauchman", with a stylized, flowing script.

L. G. Lauchman  
Patent Examiner  
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August 13, 2004